

**STATE OF MINNESOTA  
ENVIRONMENTAL QUALITY BOARD**

In the Matter of the LEPGP Site Permit  
Application by Invenergy Cannon Falls,  
LLC, for the construction of the Cannon  
Falls Energy Center in Goodhue County

**FINDINGS OF FACT,  
CONCLUSIONS, AND ORDER**

**MEQB DOCKET NO.  
04-85-PPS-Cannon Falls EC**

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The above-captioned matter came before the Minnesota Environmental Quality Board at a regularly scheduled meeting on February 17, 2005. Invenergy Cannon Falls, LLC, (Invenergy), has submitted a Site Permit application for the construction of a Large Electric Power Generating Plant (LEPGP) in Goodhue County. Invenergy proposes to construct, own and operate a 357-megawatt, simple cycle, natural gas-fired LEPGP, referred to as the Cannon Falls Energy Center.

**STATEMENT OF ISSUE**

Should Invenergy be granted a Site Permit for the Cannon Falls Energy Center project? If so, what conditions should be incorporated into the permit?

Based upon all of the proceedings herein, the Minnesota Environmental Quality Board makes the following:

**FINDINGS OF FACT**

1. The Summary of Evidence of the Administrative Law Judge in her Report of February 4, 2005, is hereby adopted as Findings of Fact by the EQB with the inclusion of the following amendments.
2. Paragraph 38 of the Judge's Report is amended to read as follows:

The EQB's ~~route~~ site permit determination must be guided by the state's goals to conserve resources, minimize environmental impacts, minimize human settlement and other land use conflicts, and ensure the state's electric energy security through efficient, cost-effective power supply and electric transmission infrastructure.

3. Paragraph 38, item 1 of the Judge's Report is amended to read as follows:

Evaluation of research and investigations relating to the effects on land, water and air resources of large electric power generating plants and HVTLS and the effects of water and air discharges and electric and magnetic fields resulting from such facilities on public health and welfare, vegetation, animals, materials and aesthetic values, including baseline studies, predictive modeling, and evaluation of new or improved methods for minimizing adverse impacts of water and air discharges and other matters pertaining to the effects of power plants on the water and air environment;

4. Paragraph 40 of the Judge's Report is amended to read as follows:

The EQB is to assess the following specific considerations in determining whether to issue a ~~route~~ site permit for an HVTL LEPGP:

5. Footnote 42 of the Judge's Report is amended to read as follows:

Minn. Stat. § 116C.575, subd. 9 ~~(b)~~(a); *id.* § 116C.57, subd. 4.

Based on the foregoing Findings of Fact, the Environmental Quality Board makes the following:

### CONCLUSIONS

1. Any of the foregoing Findings more properly designated as Conclusions are hereby adopted as such.
2. The Environmental Quality Board has jurisdiction over the subject matter of this proceeding pursuant to Minn. Stat. § 116C.57, subdivision 2.
3. This project qualifies for review under the Alternative Review Process of Minn. Stat. § 116C.575 and Minn. Rules parts 4400.2000 to 4400.2950.
4. The Applicant and the EQB have complied with all procedural requirements required by law.
5. The EQB has completed an Environmental Assessment on this project as required by Minn. Stat. § 116C.575, subdivision 5, and Minn. Rules part 4400.2750, and considered all the pertinent factors in determining which site to approve.
6. The conditions included in the Site Permit are reasonable and appropriate and will help to minimize the impacts of this project and are agreed to by the Applicant.

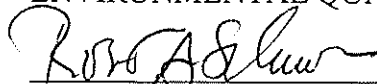
Based on the Findings of Fact and Conclusions contained herein and the entire record of this proceeding, the Environmental Quality Board hereby makes the following:

### ORDER

A Site Permit is issued to Invenergy for construction of a 357-megawatt, natural gas fired large electric power generating plant in Goodhue County on the site identified in the Site Permit Application dated August 24, 2004. The Permit shall be issued in the form attached hereto, with a map showing the approved site.

Approved and adopted this 22nd day of February, 2005

STATE OF MINNESOTA  
ENVIRONMENTAL QUALITY BOARD



Robert A. Schroeder, Chair